

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:04CR3011
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
JEFFREY LYNN YATES,)	
)	
Defendant.)	

IT IS ORDERED that:

(1) The government's request for hearing pursuant to Federal Rule of Criminal Procedure 35(b) (filing 40) is granted.

(2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 38) has been set before the undersigned United States district judge at 1:00 p.m., Tuesday, April 18, 2006, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

(3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.

(4) The Marshal is directed not to return the defendant to the district.

(5) The defendant is held to have waived his right to be present.

February 22, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge